

## **REMARKS**

### **The Amendments**

The Abstract has been amended to conform the abstract to the requirements of 37 CFR 1.72(b). Claims 36, 37, 39-42, 44, 46-53, and 55 have been amended. Claims 38, 43, 45, and 54 have been cancelled. New Claims 56-61 are added. No new matter is added by any of the amendments to the claims.

### **Preliminary Remarks**

Before discussing the grounds of rejection set forth in the Official Action and the manner in which the Applicant's claimed apparatus and method distinguish over the cited references, a brief review of the Applicant's claimed apparatus and method will be presented.

The Applicant's claimed apparatus and method, as now defined in the amended independent Claims 36, 52, 56 and 57, relates to an amusement ride assembly for providing passengers with an adrenalin-rush ride. The novel configuration of the Applicant's claimed amusement ride assembly includes a rotatable endless loop cable that is suspended between two or more stations, which may in large scale applications be more than 1km apart. The loop cable operates as both the ride cable and retrieval means, and therefore, the ride assembly does not require a separate retrieval cable. The passenger carrier rides on the loop cable using a roller mechanism that enables it to free-roll and accelerate along the loop cable under the pull of gravity after initial release from one of the stations. The passenger carrier also includes a clamping mechanism and an **electronic control system** that actuates the clamping mechanism to fix the passenger carrier to the loop cable when the carrier slows down after its free roll. The loop cable can then be rotated to thereby retrieve the passenger carrier at or toward the stations for unloading or another free-roll ride.

As described in the specification, this unique configuration allows a mixture of ride configurations to be offered, each varying in duration and speed. In addition, the amusement ride can be arranged to include a number of cascaded stages and/or two passenger carriers can be operated simultaneously on opposite sides of the loop cable in particular embodiments. The single loop cable, operating as both the ride and retrieval cable, also offers commercial and

economic benefits compared to other rides that require a separate retrieval cable in addition to the ride cable.

#### The Electronic Control System Feature

The Applicant's claimed amusement ride assembly as set forth in Claims 36, 52, 56 and 57 includes an electronic control system that is arranged to actuate the clamping mechanism. The electronic control system is operable in various modes of operation of the ride assembly, including:

- Automatic operation according to preset programmed ride settings (automatic mode), or
- Manual operation by an operator located remote from the passenger carrier, such as at an end station for example, via a radio link or the like (manual mode), or
- Dual-mode operation in which both an automatic mode or a manual mode is operable and which is switchable between the two modes.

For safety reasons, the Applicant's amusement ride assembly does not allow the passengers riding in the passenger carrier to operate the clamping mechanism, because operation of the clamping mechanism by an inexperienced passenger while the carrier is speeding along the cable could be dangerous. The electronic control system ensures that the clamping mechanism is operated correctly either automatically according to preset ride settings or manually by an experienced operator located in the station, for example.

The electronic control system feature of the Applicant's claimed amusement ride assembly enables a safe and enjoyable adrenalin-rush ride to be provided to the passengers. The passengers can sit back and enjoy the ride and need not be concerned about operations of the clamping mechanism, as this is taken care of for them. In addition, possible dangerous passenger interference with operation of the clamping mechanism is avoided with actuation being controlled by the electronic control system.

### 35 USC 102(b): Claims 36-39 and 41-55

The Examiner rejected Claims 36-39 and 41-55 as being anticipated by US 5,121,695 (Feuz). In making the rejection the Examiner apparently concluded that every component of the Applicant's claimed amusement ride assembly is described in Feuz.

Feuz discloses an overhead cableway having (i) a cable that revolves between stations and (ii) transport devices having travelling gears with retractable clamps by means of which the transport devices can be connected to or disconnected from the cable. Travel segments are provided at every station for accelerating and decelerating the transport devices. As one of the transport devices nears a station, rollers on the travelling gear are guided onto an uncoupling rail of an unloading segment which in turn opens the cable clamp. The transport device is then guided onto a series of friction wheels arranged in line and rotating at speeds which cause the transport device to decelerate as it nears the station. Passengers are unloaded and the transport device is then guided onto a transfer rail to turn the device around and towards a similar return set of accelerating friction wheels.

Feuz does not describe or suggest that the travelling gear of the transport devices have rollers or a roller mechanism that **“enables the passenger carrier to free-roll along the cable”** as defined for the Applicant's claimed amusement ride assembly. Referring to Figure 4 of Feuz, the travelling gear comprises a clamp (52) for coupling the transport device to the cable (2). Activation rollers (66) are arranged to cooperate with a fixed uncoupling rail (26) in the transfer segment of the station. Guide roller (76) is arranged to cooperate with the stabilization rail (32) in the transfer segment. Rollers (90) are arranged to engage with the transfer rail (24) of the transfer segment. None of the rollers (66, 76, 90) are arranged to engage with the cable (2) to **enable the transport device to free-roll along the cable** when the transport device is between stations, as in the Applicant's claimed ride assembly. The features of the roller mechanism as claimed in the independent apparatus Claims 36 and 52, and in new independent Claims 56 and 57, are not taught, suggested or disclosed in Feuz. Feuz does not describe or suggest an amusement ride that provides free-rolling of the transport device along the cable under the influence of gravity to provide an adrenaline rush. Feuz describes that the transport device is clamped to the cable as the transport device travels on the cable between stations.

Regarding the Applicant's claimed method as set forth in Claim 48, Feuz does not disclose an operating process that includes a step corresponding to step (b) of the Applicant's claimed method, namely, **"allowing the passenger carrier to free-roll under gravity along a span of a cable loop from a position at or toward one station, toward another station."**

For all of the foregoing reasons, it is believed that the Applicant's claimed amusement ride assembly as set forth in Claims 36, 52, 56, and 57 is novel relative to the apparatus described in Feuz. It is further believed that the Applicant's claimed method of providing an amusement ride as set forth in Claim 48 is novel relative to the operation of the device described in Feuz. Therefore, the Claims 36, 52, 48, 56, and 57 are allowable over Feuz.

Claims 37-39, 41-47, and 58-61 depend from Claim 36 either directly or indirectly and thus, include all of the features of Claim 36. Therefore, Claims 37-39, 41-47, and 58-61 are allowable for at least the same reasons as Claim 36.

Claims 49-51 depend from Claim 48 either directly or indirectly and thus, include all of the features of Claim 48. Therefore, Claims 49-51 are allowable for at least the same reasons as Claim 48.

Claims 53-55 depend from Claim 52 either directly or indirectly and thus, include all of the features of Claim 52. Therefore, Claims 53-55 are allowable for at least the same reasons as Claim 52.

#### **35 USC 103(a): Claim 40**

The Examiner rejected Claim 40 under 35 USC 103(a) as being unpatentable over Feuz as applied to Claim 36 and further in view of US 4,003,314 (Pearson). Claim 40 depends from Claim 36 and thus, includes all of the features of the Applicant's claimed amusement ride assembly as set forth in Claim 36. For the reasons discussed above, it should now be clear that Feuz does not describe all of the features of the Applicant's claimed ride assembly as set forth in Claim 36. Pearson relates to a ski lift monitoring system. None of the ski lifts described in

Pearson has the features of the Applicant's claimed amusement ride assembly that are missing from the apparatus described in Feuz. Therefore, even if the teachings of Feuz and Pearson could somehow be combined, the resulting combination would not have all of the features of the Applicant's claimed ride assembly as set forth in Claim 40. Accordingly, Claim 40 is believed to be allowable over the proposed combination of Feuz and Pearson.

### CONCLUSION

In view of the foregoing amendments and remarks, it is believed that the claims pending in this application are in condition for allowance. The Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of the claims.

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